

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA**

***Richmond Division***

**ERIC C. WILSON,**

***Petitioner,***

**v.**

**Civil Action No.: 3:10cv00536**

**W. STEVEN FLAHERTY, SUPERINTENDENT  
VIRGINIA DEPARTMENT OF STATE POLICE,**

***Respondent.***

**OBJECTION TO PETITIONER'S MOTION TO STAY AND  
HOLD PROCEEDINGS IN ABEYANCE**

The respondent, the Superintendent of the Virginia Department of State Police, by counsel, objects to the petitioner's motion to stay and hold the federal habeas corpus proceedings in abeyance in order for him to file a state habeas corpus petition.<sup>1</sup>

The reasons supporting this objection are set forth in the accompanying brief, which is incorporated by this reference.

The Court can rule on the petitioner's motion and the respondent's objection, based on the pleadings, without the need for oral argument.

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<sup>1</sup> The habeas petition and motion to stay were filed in this Court on July 30, 2010. The Court has not directed the respondent to file a response to the petition.

WHEREFORE, the respondent objects to the motion of the petitioner and prays the Court will deny the petitioner's motion.

Respectfully submitted,  
Superintendent, Virginia Department of State Police,  
Respondent

/s/\_\_\_\_\_  
Virginia B. Theisen  
Senior Assistant Attorney General  
Virginia State Bar No. 23782  
Attorney for the Respondent  
Office of the Attorney General  
900 East Main Street  
Richmond, Virginia 23219  
804-786-2071  
(FAX) 804-371-0151  
[vtheisen@oag.state.va.us](mailto:vtheisen@oag.state.va.us)

**CERTIFICATE OF SERVICE**

On August 12, 2010, I electronically filed this Objection with the Clerk of Court by using the CM/ECF system, which will then send a notification of such filing (NEF) to the following: Stephen Atherton Northup, Troutman Sanders LLP, Troutman Sanders Bldg, 1001 Haxall Point, PO Box 1122, Richmond, VA 23218-1122, [steve.northup@troutmansanders.com](mailto:steve.northup@troutmansanders.com) and Joshua David Heslinga, Troutman Sanders LLP, Troutman Sanders Bldg, 1001 Haxall Point, PO Box 1122, Richmond, VA 23218-1122, [joshua.heslinga@troutmansanders.com](mailto:joshua.heslinga@troutmansanders.com), counsel for the petitioner.

/s/ \_\_\_\_\_

Virginia B. Theisen  
Senior Assistant Attorney General  
Virginia State Bar No. 23782  
Attorney for the Respondent  
Office of the Attorney General  
900 East Main Street  
Richmond, Virginia 23219  
804-786-2071  
(FAX) 804-371-0151  
[vtheisen@oag.state.va.us](mailto:vtheisen@oag.state.va.us)